

**LITTLE HOOVER COMMISSION
HEARING ON THE
ROLE OF THE OFFICE OF CRIMINAL JUSTICE PLANNING
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**TESTIMONY OF
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Having worked in criminal and juvenile justice in California for 30 years,¹ I have seen significant changes in what criminal justice planning is and can be. What had traditionally been individual agencies' concerns and approaches have, in the last decades, become connected. What had been divergent interests have become similar. What had been unique service plans have become interwoven. And what had been separate funding streams have begun to be blended. It has become increasingly clear that various agencies' goals and service populations dovetail with, and often overlap, those of other agencies and that the multiple causes of crime and delinquency require integrated responses.

Prevention and intervention efforts are increasingly *family and/or neighborhood oriented*. They seek to affect, not just an individual, but also the constellation of people and elements in that individual's environment likely to contribute to or help mitigate criminal behavior. Criminal justice sanctions and services are increasingly *driven by comprehensive, multi-disciplinary assessments* – of strengths as well as of risks and needs. Assessment helps target appropriate responses to the criminogenic factors in a person's life, while also indicating resources available in the individual's family and/or

¹ Initially I was a delinquency prevention planner with Mexican American Community Services (MACSA) in Santa Clara County and a consultant for the National Institute of Corrections. Subsequently I have worked in a variety of statewide roles including Executive Assistant to the Director of the California Department of Corrections (CDC), Executive Director and Lobbyist for the California Probation, Parole and Correctional Association (CPPCA) and, most recently, as principal of Suzie Cohen & Associates, specializing in criminal justice consulting, planning and training.

personal experience that might help keep her/him from offending or reoffending. Criminal justice programming is increasingly *coordinated via case plans and case management* models, often involving multiple agencies and/or service providers. Research indicates the importance of *focusing on re-entry from the time an offender enters the system* and suggests that the most effective programming is coordinated to produce an anticipated outcome — that is, *interventions are tailored to achieve specific improvements in behavior* such that an offender might reduce her/his recidivism and/or remain crime free after involvement in the criminal justice system.

In this new context, as it becomes more and more clear that the criminal justice system can and must operate in conjunction with related public and private agencies and interests, comprehensive, coordinated, interagency planning has become essential. This kind of planning helps reduce duplication of effort, enhance service delivery, stretch existing dollars and maximize effectiveness. It is clearly the approach of choice for human and social services, including those dealing with criminal and juvenile justice.

This multi-disciplinary, interagency approach has been endorsed, supported and researched by such Federal agencies as the Department of Justice (DOJ), its Offices of Juvenile Justice and Delinquency Prevention (OJJDP) and Victims of Crime (OVC), the National Institute of Corrections (NIC) and the U.S. Department of Education.² These and other agencies have promulgated planning models and/or grant programs based on broadly collaborative interaction.

In California, this model has been demonstrated most notably by the Board of Corrections in its jail and juvenile facility construction grants, the Repeat Offender Prevention Project (ROPP), the Juvenile Crime Enforcement and Accountability Challenge Grant (JCEACG) programs, the Juvenile Justice Crime Prevention Act (JJCPA) program and the Mentally Ill Offender grant program, among others. All of

² See, for example, OJJDP's Comprehensive Strategy for Chronic and Serious Offenders and the Department of Education's "Life Skills for State and Local prisoners Program" CFDA 84.255A).

these Board of Corrections efforts have required comprehensive Local Action Plans and/or needs assessments and rigorous evaluation to determine program effectiveness.

All of the programs developed pursuant to Board of Corrections requests for proposals in these disparate projects were in keeping with best practices and research findings relative to 'what works' in that they incorporated interagency, multi-disciplinary collaborative service delivery and addressed one or more components of the continuum of criminal justice/correctional interventions – from prevention, through intermediate and/or graduated sanctions, custody and re-entry or aftercare. The vast majority of programs were built on partnerships among law enforcement; probation departments; local departments of health, behavioral/mental health and human services; county and private providers of drug and alcohol services; school districts and county offices of education; and parenting / family services providers, among others. The program evaluations incorporated findings regarding interagency provision of services, pointed out strengths and weaknesses of the models and suggested promising avenues for further programming and program enhancement.

The business of criminal justice planning has become data and needs-analysis driven and evaluation oriented. Planning is not a one time activity which ends when a program or policy is created. It continues through implementation and includes evaluation, not only to show 'what works,' but also to enable program and/or policy refinement. Plans evolve as needs change, as gaps in service are filled, as evaluation indicates effectiveness and as innovations and best practices emerge. In short, criminal justice planning in the twenty-first century is:

- Comprehensive
- Inclusive
- Collaborative
- Multi-agency
- Data driven and
- Outcome and process research supported.

The Office of Criminal Justice Planning (OCJP) does not appear to have incorporated these principles in its operation. Although it says its mission is to use state and federal funding to "promote partnerships to achieve safe communities by enhancing their [sic.] effectiveness to prevent crime, support crime victims and their rights, and hold offenders accountable," there is little evidence of comprehensive, inclusive, collaborative, multi-agency, data driven, research oriented activities in support of that mission. There does not appear to be much planning happening at all. Rather, OCJP appears to be a politically oriented conduit for money, responsive to media and interest group pressures and allocating resources to the 'crime de jour' or the squeakiest wheel. It does not appear to exhibit the vision, consistency or clarity of purpose of a well grounded, effective planning organization, nor does it appear to have the supportive constituency of a funding source well respected by those it serves.

OCJP says it is the "lead agency responsible for implementing the Governor's Public Safety and Victim Services Plan for California."³ Where is that plan? What does it comprise, how was it developed and by whom? If it directs OCJP's activities, is it readily available to those seeking to understand OCJP's decision making process and/or planning framework? How does OCJP implement the plan? Does OCJP make funding decisions consistent with and in the context of the plan yet also based on applicants' descriptions of community and program need, supporting data and anticipated outcomes?

On OCJP's web site, the Interim Executive Director describes the organization as "the lead California agency in crime prevention, crime suppression, and criminal justice planning."⁴ It is not immediately obvious how OCJP provides and/or documents this leadership. Does it conduct studies, publish findings or convene meetings for information exchange? Does it review and seek to impact state and local justice agency plans? Does it reach out to professional organizations and associations to network or identify issues of concern to the field? Does it seek and help fill gaps in the array of

³ Governor's Office of Criminal Justice Planning, www.ocjp.ca.gov, "About OCJP"

⁴ *ibid.*

criminal justice, victims and/or crime prevention services available throughout California? Does it help coordinate the strategic plans and resources of state criminal justice agencies such as State Police, Justice, Youth and Adult Corrections with one another or with those of local agencies? In my experience, OCJP does not regularly pursue any of these avenues of leadership in criminal justice planning nor is it known to engage state or local health and human services agencies around common interests.

OCJP appears to lack a clear sense of purpose, a clear focus and a clear mission. Its activities are scattered across a number of subject matter areas — crime suppression, gang and drug suppression, juvenile justice and delinquency prevention and victim services – many of which are also in the purview of other agencies. OCJP may be one of the state's major funders of victims' services programs and should be commended for underwriting this important component of the justice system; however, even here it is not clear how decisions are made and what vision or overall direction is guiding the allocation of victims' services dollars. Victims' issues are too important to be dealt with lightly or in a piecemeal fashion. Expertise and objectivity must be brought to bear to support victims' programming and to advance the public understanding of the delicate balance among the rights of victims, offenders and communities relative to preventing, sanctioning and recovering from the effects of crime.

In terms of being accountable for its funding decisions and building a solid base of information from which future criminal justice decisions can be made, OCJP seems to fall short of the mark here too. Criminal and juvenile justice researchers, both academics and practitioners, look to the Department of Justice and Board of Corrections for data and assistance in program development. The Office of Criminal Justice Planning is seldom considered a potential source of such information. In fact, researchers are hard pressed to access the findings of the projects OCJP has funded over the years or the organization's picture of what criminal justice in California should be. By comparison, the Department of Justice maintains an extensive data library accessible through its web site and the Board of Corrections' web site provides not only data and research findings but also a comprehensive description of its research and

evaluation methodology and its use of what it calls "subject matter experts" in its planning and regulation review efforts.⁵

The facts that other agencies in and around criminal justice do perform clearinghouse functions, do produce substantive research, do convene work groups of practitioners around critical issues may suggest that there is no need for OCJP to repeat those efforts. Given its generalist staff and its placement in the political hierarchy, OCJP may be neither able nor willing to do rigorous, inclusive, comprehensive planning. It may, of necessity, have to be politically sensitive and risk averse. Perhaps its name should be changed to eliminate the notion that it does comprehensive planning in and around criminal justice issues. Maybe it would be more aptly named the "Governor's Office of Criminal Justice Funding" to reflect its role as primarily a pass-through for federal dollars.

If, however, OCJP is to remain the titular criminal justice planning agency for the state and if it is going to continue to claim a leadership role, perhaps it could be restructured and revitalized to enable it to assume the responsibilities inherent in leadership. Leadership takes many forms, of course, but best practices and common sense indicate that leadership in a criminal justice and/or human service planning agency would encompass:

- ❖ vision,
- ❖ a sense of direction,
- ❖ widespread outreach and
- ❖ responsiveness to emerging issues and trends.

For OCJP to provide leadership it should, at a minimum, be expected to:

- Serve as a clearinghouse for information and innovation;
- Broker both information and services;

⁵ See the Department of Justice web site, www.caag.stat.ca.us, and particularly its Criminal Justice Statistics Center, and, on the Board of Corrections' web site, www.bdcorr.ca.gov, the page called Research Overview, which lays out the BoC's "Approach to Information Gathering, Research and Evaluation."

- Facilitate and help coordinate policy development;
- Establish an objective, defensible process for awarding grants;
- Conduct research and analyze and disseminate findings;
- Maintain a library of evaluation reports detailing the effectiveness and outcomes of its grants in order, among other things, to indicate future funding priorities;
- Involve the field in decision making impacting its operations; and
- Model cooperation and collaboration with related agencies.

OCJP does not now provide, nor has it traditionally provided, these services. For as long as I have been aware of its existence and operations; it has not functioned as the lead planner in California's state or local criminal justice matters. In my experience, OCJP has been plagued with problems and characterized as ineffective since at least the 1980s.

If reforming OCJP were possible, it would require a great deal of thought about where in the governmental structure the Office should reside. It may be that, so long as the Office of Criminal Justice Planning is a political entity, responsible directly to the Governor, and staffed by generalists rather than criminal justice policy specialists, it will never be able to accomplish objective, comprehensive planning. Moreover, it would take considerable time, strategic planning, concerted effort, values change, talent and will to mold OCJP into a truly functional state criminal justice planning agency. In the current fiscal and political climate, and given the fact that there are other agencies already doing the work and providing the leadership, perhaps 'the juice isn't worth the squeeze' – perhaps the outcome would not be worth the considerable energy and expenditure that would be required in the effort.